

REMARKS

Applicants have now had an opportunity carefully consider the Examiner's comments set forth in the Office Action of September 27, 2006 and the Advisory Action mailed December 17, 2006. Continued examination of the application is requested.

The Office Action

Claim 1-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Qua et al. (US Patent Number: US 6,222,909) in view of Bartfeld et al. (US Pub. No. 20030086432).

Claims 1-6 and 8-15 remain in the application. Independent claims 1, 6 and 11 have been amended in order to further clarify the claimed invention. Applicants respectfully request that rejections to the application be withdrawn for at least the following reasons.

The Subject Invention

By way of review, the subject invention relates to a method and apparatus for providing a network based voice memo feature. In at least one form, the invention is directed to a system that will provide network based functionality to allow a user to record a voice memo during an ongoing call. The disclosure allows a subscriber to create a voice message, based on the recorded memo, and store the message in the user's voice messaging system for later retrieval. In applying this method, the invention comprises opening a connection between the mobile station and the voice messaging system based on a first code. The claimed method continues with recording a voice data transmitted on the reverse link subsequent to the detection of the first code in the voice messaging system through the open connection. The disclosure also includes terminating the connection between the mobile station and the voice messaging system based on the second code. The claimed system and method includes tagging the voice memo and using a voice mail/memo delineator to separate the messages. Finally, the claimed system and method include an interface which displays the messages with an icon for the user to distinguish between the two.

The Cited Art

Qua (U.S. Patent No. 6,222,909) is an audio note taking system and method.

The system enables a user to take multiple audio notes of a specific conversation by starting and stopping a recording device and by generating appropriate control signals from a respective communication device during that conversation. The invention stores the user's memo in a storage unit which will enable the user to forward the message to other storage devices such as email. The storage unit may be detachable and can be connected using socket interface cable or other similar technique. Furthermore, the invention may include a storage unit that is connected to the network itself. In any form, the user of the Qua reference may distribute the stored information to oneself or other parties once the information has been recorded.

Examiner also cited Bartfeld (U.S. Publication No. 2003 0086432). Bartfeld is a telephone call management system. Bartfeld allows for a call review where a voice message is being recorded for a specific telephone. Bartfeld allows for the message to be played on a telephone associated therewith during the time it is recorded. Optionally, the call may further be retrieved and rerouted to a user telephone responsive to the command entered via the telephone/television distribution gateway. In any sense, Bartfeld allows the call to be recorded responsive to commands entered via the gateway.

The claims as amended are patentably distinguishable over the cited references

The Examiner will appreciate that independent claims 1, 6 and 11 have been further amended in order to include tagging the voice memo messages and using a mail/memo delineator to separate them. Claims 2, 7 and 11 have been amended to include a display that shows different icons for each type message. Because this feature is neither taught nor suggested by Qua, Bartfeld, or the combination of the two, it is respectfully requested that the rejection to the claims be withdrawn.

CONCLUSION


For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-15) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Joseph D. Dreher, at (216) 861-5582.

Respectfully submitted,

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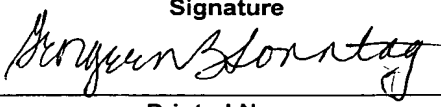
December 27, 2006
Date


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